IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 12604 of 2004

Between:

G. Peeramma, W/o Madar Saab, Age:55 Yrs., Occ:Agrl.,
R/o NTR Colony, C.K. Dinne Village & Mandal, Kadapa District.

..... PETITIONER

AND

1 The District Collector, Kadapa District, Kadapa.
2 The Revenue Divisional Officer, Kadapa Revenue Division,

Kadapa.
3 The Mandal Revenue Officer, C.K. Dinne Mandal, Kadapa

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or Direction(s) essentially in the nature of Writ of Mandamus setting aside the Impugned Proceedings contained in Ref.B.108/2002, Dated 30-6-2004 issued by the Respondent No.3 herein as bad, illegal, arbitrary, discriminatory and violative of Articles 14 and 21 of the Constitution of India, and pass any such other order or orders as this Hon'ble High Court may deem fit, proper and necessary in the circumstances of the case.

Counsel for the Petitioner:MR.KARNAMRAMESH

Counsel for the Respondents: The Government Pleader for Revenue.

The Court at the stage of admission made the following Order:

Heard the learned Counsel for the petitioner and also the learned Government Pleader for Revenue appearing for respondents. They have agreed to dispose of the writ petition at the admission stage.

Petitioner was granted DKT Pattas on 16-02-2002 through proceedings Nos.15/1411 and 16/1411, to an extent of Ac.1.07 cents and Ac.0.72 cents respectively and the same were now cancelled by the third respondent-Mandal Revenue Officer, C.K.Dinne Mandal, Kadapa District, through the impugned order in reference B.No.108 of 2002, dated 30-06-2006. Aggrieved by the same, she carried the matter in appeal before the second respondent-Revenue Divisional Officer, Kadapa Revenue Division, Kadapa and requested to grant stay of all further proceedings in pursuance of the cancellation order passed by the third respondent. As no orders have been passed in the said appeal, she moved this Court by way of present writ petition.

It is well settled that pending the appeal, the rights of the parties should be preserved since the right of appeal is a statutory right. In view of the same, the impugned order passed by the third respondent dated 30-06-2004 shall not be given effect to, till the disposal of the appeal filed by the petitioner.

The writ petition is accordingly disposed of.

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21-07-2004

kdl

To

1 The District Collector, Kadapa District, Kadapa.

2 The Revenue Divisional Officer, Kadapa Revenue Division,

Kadapa.
3 The Mandal Revenue Officer, C.K. Dinne Mandal, Kadapa

District.

4. Two C.Cs. to the Government Pleader for Revenue, High Court

Buildings, Andhra Pradesh, Hyderabad (OUT).

5. Two C.D. Copies.